ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 5: Automation
Section 1-506: Filing and Management of Electronic Court Documents

<mark>SB Assumptions: 1) ACJA focuses on courts while rules focus on filers 2) Certain reqts pertain to the system as a whole, not the behavior of any individual 3) Multiple present e-filing systems are being superseded by a single statewide system and some direction needs to be stated clearly</mark>

A. **Definitions.** In this section the following definitions apply:

~~"ANSI/AIIM" means the American National Standards Institute and the Association for Information and Image Management. These two organizations are responsible for promoting and facilitating voluntary consensus standards and conformity assessment systems and promoting their integrity.~~"Browser" means a computer application that interprets hypertext markup language (HTML), the programming language of the Internet, into the words and graphics that are viewed on a web page.

~~"Checksum or hashing algorithm" means a formula or procedure for checking that electronically transmitted messages have not been altered. A checksum is a numerical value based on the number of bits in the message. A hashing function transforms a string of characters into a usually shorter fixed-length value or key that represents the original string. The results are sent with the message. The receiver of the message executes the same formula and compares the results to the value sent. Any difference indicates an alteration of the message.~~

~~"Cryptography" is the science of rendering plain information unintelligible and restoring encrypted information to intelligible form. As a way of achieving data security, encryption translates plain text into secret code that can only be decrypted by those with the secret key or password.~~

~~"Digital certificate" means an attachment to an electronic message used for security purposes. The most common use is as part of a digital signature process to verify the identity of the sender of a message.~~

"Digital time-stamp" means a ~~cryptographically~~ tamper-proof ~~enabled~~ time stamp which is digitally signed by a time ~~stamp~~ server and thus cannot be modified without detection. It provides information showing that a document existed before a given time.

~~" Electronic or digital signature" means digital code attached to an electronic message. An "electronic signature" means any letters, characters, or symbols executed with an intent to authenticate a writing. A "digital signature" is an electronic signature that can be used to authenticate the identity of the sender of a message or the signer of a document, and possibly to ensure that the original content of the message or document that has been sent is unchanged.~~

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"Electronic Document Management System (EDMS)" means a collection of computer software application programs and hardware devices that provides a means of organizing and controlling the creation, management and retrieval of documents through their life cycle. It may include workflow software which enables organizations to define routing and processing schemes to automate the business processes for document handling. It may also include imaging and optical character recognition (OCR) software and devices to support the capture, storage, and retrieval of document images from paper ("imaging").

"Electronic filing (e-Filing) system" means a collection of software application programs used to transmit documents and other court information to the court through an electronic medium, rather than on paper, most notably AZTurboCourt, but including local pilot systems being superseded by AZTurboCourt. An electronic filing system ~~may~~ includes functions to send and ~~receive~~ view ~~documents~~filings, pay filing fees, and receive court notices and information.

"Graphics document" means a picture or image (even of text) processed by a computer only as a single entity. Graphics files are not searchable by computers.

"IEC" means the International Electrotechnical Commission, an international organization that sets standards for electronics, headquartered in Geneva, Switzerland.

"ISO" means the International Organization for Standardization, a network of the national standards institutes of more than 150 countries coordinated by a central secretariat.

"~~File transfer protocol~~ MQ~~(FTP)~~" means IBM WebSphere MQ, ~~a~~ the court-standard ~~Internet~~ business integration middleware used to connect asynchronous distributed software applications. Unlike packet-based transmission (FTP), MQ ensures messages are delivered once and once only. ~~application protocol used to exchange files between computers on the Internet. It is commonly used to download programs and other files to a computer from other servers.~~

"Non-proprietary" means material (particularly software) that is not subject to ownership and control by a third party. "Proprietary" generally refers to vendor-owned material whose specifications are not public.

"Render" means to convert digital data from an image or text file to the required format for display or printing.

"Text-based document" means a collection of characters or symbols that can be individually manipulated but are processed collectively to comprise a document. Text-based documents are searchable by computers.

~~"Public Key Infrastructure (PKI)" is a system using digital certificates with an encryption methodology that has two keys, a public key and a private key. The keys are related in such a~~

way that only the public key can be used to encrypt messages and only the corresponding private key can be used to decrypt them.

B.   **Purpose.** This section provides administrative requirements, standards and guidelines to enable Arizona courts to implement a uniform, statewide, electronic filing system and to achieve the reliable, electronic exchange of documents within the court system as well as between the court and court users. these goals:

a. To allow the electronic exchange of documents within the court system;

b. To assure that courts carefully plan the migration to an EDMS and select a system that is secure, flexible, robust and user-friendly;

c. To assure that courts establish an EDMS to manage, receive, docket, distribute, retrieve and access all internally generated and electronically filed documents; and

d. To assure that all Arizona courts implement electronic filing systems uniformly.

C.   **Authority.** Consistent with Rule 124, Rules of the Supreme Court of Arizona, electronic filing is authorized as part of a uniform, statewide approach. All pre-existing, local electronic filing systems shall be transitioned into the statewide system, AZTurboCourt, using a timetable ordered by the Court in a specific administrative order.

C. Only the chief justice, the chief judge of each division of the court of appeals, and the presiding judge of the superior court in each county may implement, consistent with these requirements and Rule 124, Rules of the Supreme Court of Arizona, an electronic filing system in their respective courts.

D.

E. The presiding judge of the superior court in each county may implement, consistent with these requirements and Rule 124, an electronic filing system in one or more justice courts or municipal courts within the county.

D.   **Document Specifications.** Documents filed or delivered electronically shall comply with the following:

1. All documents shall be preserved so that the content of the original document is rendered not altered in any way and the appearance of the document when displayed or printed closely resembles the original without any material alteration.

2. Text-based dDocuments shall be in a format that provides for browser accessibility and no material alteration to content or appearancehigh fidelity to the original and should be searchable. Documents shall be formatted in either:

a. PDF (Portable Document Format) version 2.x or higher; ~~or~~

b. Open Document Format for Office Applications, ISO/IEC 26300:2006 or subsequent; or

~~b.~~c. Open Office XML (OOXML), ISO/IEC 29500-1,-2,-3,-4:2008, or subsequent. ~~XML (Extensible Markup Language), after the supreme court adopts standards for its use~~.

3. A hyperlink may be included in a document solely for the convenience of judicial officers, attorneys, and pro se litigants and is not part of the official court record. A hyperlink shall only be used with a case citation and a text reference to the citation shall also be provided. ~~Hyperlinks, bookmarks and other similar navigational functions shall only refer to other parts in the same document.~~ The Chief Justice of the Supreme Court, the Chief Judge of each division of the court of appeals, and the Presiding Judge of a superior, justice of the peace, or municipal court, by administrative order, may allow hyperlinks and other similar navigational functions as direct links to the legal authority cited in the document, such as Westlaw, LexisNexis, or the United States Supreme Court's website. Consideration shall be given to the possibility of linked items becoming unavailable during the retention period of the document.

~~3.~~4. A bookmark shall only be used to direct the reader to another page within the same document. A separate bookmarked entry shall be included in a table of contents for appendices containing multiple documents within a single submittal.

~~4.~~5. Graphics, multimedia and other non-text documents may be permitted as follows:

a. Documents in imaged or graphic formats (for example, pictures or maps) shall be in a non-proprietary file format (for example, TIFF, GIF, or JPEG) and shall comply with ACJA § 1-504.

b. Other multimedia files (for example, video or audio files) shall adhere to established industry standards and shall be in a non-proprietary format (for example, MPEG, AVI, and WAV). ~~Each court implementing electronic filing has the discretion to accept or reject any other video or graphic format.~~

~~5.~~6. E-mail communications may be used for receipt, confirmation, and notification correspondence~~, and, if permitted by a court's electronic document filing procedures, as a method of transporting documents~~.

~~6.~~7. An electronic filing system, such as AZTurboCourt, may provide fill-in forms for routine matters such as traffic citations or small claims filings. Law enforcement may be authorized to submit form-based case documents to the court such as traffic citations or ordinance violations. The ~~forms-based~~ electronic filing system used in either instance shall be capable of reproducing or printing ~~the form with~~an abstract using the data supplied by the filer,

however, courts are not required to preserve the ~~form's~~ filed text and data together ~~in PDF~~. ~~The~~ Any forms-based electronic filing system shall comply with all other requirements of this section.

~~7.~~8. In accordance with Supreme Court Rule 124, electronic, case-related documents shall be submitted exclusively through the statewide electronic filing portal, AZTurboCourt.gov. ~~Existing~~ local ~~electronic filing systems shall transition into the statewide system over time.~~

~~F.~~C.   **Authentication.**

1. Authentication of document source. ~~Any court implementing electronic filing shall establish a procedure~~ AZTurboCourt shall contain a registration system having sufficient security to verify and authenticate the source of electronically filed documents and maintain current contact information for filers.
~~1. Acceptable procedures include:~~
~~2.~~
~~3. Electronic or digital signature and certificate;~~
~~4.~~
~~5. User ID and password;~~
~~6.~~
~~7. Credit card authentication; or~~
~~8.~~
~~9. Other equivalent procedure.~~

* AZTurboCourt shall indicate the exact date and time when transmission of each electronic filing was successfully accomplished.. ~~Authentication of documents. To prevent alteration during transmission, any court implementing electronic filing shall establish a procedure for assuring that documents filed electronically have not been altered during transmission. Acceptable procedures include:~~

~~a. A checksum or hashing algorithm;~~

~~b. Digital time stamps;~~

~~c. Digital certificates using PKI which provides for encapsulation of the message in such a way that altering it invalidates the associated certificate, or~~

* ~~Other equivalent procedure.~~

~~10.~~2.   Maintenance of electronic documents. Any individual court ~~implementing~~ maintaining electronic ~~filing~~ court records shall employ local security procedures that prevent unauthorized access to, modification of, or deletion of the ~~electronically filed~~

~~document~~records. These procedures shall include all of the following:

a. Establishing written procedures to ensure the integrity of electronic documents, so that any copies produced may be regarded as true and correct copies of the original document;

b. Performing virus checking to ensure documents are free from viruses <u>prior to storage on any device attached to the court's data network</u>;

c. Employing procedures that insure the availability of at least one other copy of the electronically filed document at all times;

d. Performing system backups at least daily;

e. Using recording media for storing electronic records that comply with ~~ANSI/AIIM~~<u>industry</u> standards; and

<u>f.</u>   Using non-reusable media for archiving court records electronically.

<u>Courts placing case documents in an electronic document management system controlled by the AOC meet the above maintenance requirements.</u>

~~11.~~<u>3.</u>   Filing of confidential and sealed documents. Courts shall ~~not accept~~<u>employ standard keywords or metadata, as determined by the Commission on Technology's Technical Advisory Council, with associated security procedures to protect</u> electronically filed <u>or scanned</u> confidential and sealed documents <u>from unauthorized access</u>.

~~G.~~<u>D.</u>   **Communications.** The <u>statewide</u> electronic filing system implemented ~~by any court~~ shall:

1. Provide for electronic filing via the Internet ~~or other publicly accessible mechanism~~;

2. Use ~~industry-standard, non-proprietary~~<u>COT-approved, secure transport</u> protocols such as ~~FTP~~<u>IBM MQSeries</u>; and

3. Provide for appropriate <u>party, attorney, arbitrator,</u> public<u>, and governmental entity</u> access <u>in accordance with Rule 123</u>, ~~with preference given to~~<u>using</u> standard browser technology.

~~H.~~<u>E.</u>   **Processing.**

1. ~~Each~~ <u>The statewide</u> electronic filing system shall generate an acknowledgment receipt for electronically filed documents.

2. <u>All case management and electronic document management systems used by courts shall have automated interfaces to the statewide electronic filing system</u> ~~Each electronic filing~~

system shall be implemented with an automated interface to that court's case management and electronic document management systems that will:

a. Provide and ~~verify~~ validate case management data;

b. Automatically docket e-filed documents; and

c. Automatically index documents as required for locating the document and facilitating integration with the case and document management systems. Indexing elements ~~may~~ shall include, at a minimum:

> (1) Full ~~c~~Case number;
> ~~(2) Document type;~~
> ~~(3) Filing party information; or~~
> (2) ~~Date filed~~Document storage identifier;~~.~~
> (3) Restricted security indicator; and
> (4) Sealed security indicator.

3. ~~The electronic filing system shall~~ The official court record shall be the one stored by the clerk's or court's electronic document management system, whether in native electronic format or scanned into the system from paper. Unless otherwise directed by the Supreme Court, each standalone EDMS shall communicate case-related documents stored locally to the central document repository and receive documents from the statewide electronic filing system, prior to acceptance of electronic filings by the court. ~~provide appropriate public access. Every court implementing electronic filing shall ensure that its electronic filing system complies with ACJA § 1-504 (C)~~

> a.   Each court imaging paper documents shall comply with ACJA § 1-504 (C) and (D) to ensure usefulness of those documents for public access.

> ~~d.~~b.   Each court having or implementing an electronic document management system shall coordinate the transfer of case-related electronic documents to and from the state's central document repository and electronic filing portal, respectively.

~~3.~~4. ()~~Prior to accepting electronic filings, each court implementing an electronic filing system shall develop an electronic filing plan that includes at least the following:~~

~~a. Hardware and software acquisition, installation, and implementation;~~

~~b. Testing, training, staffing and support;~~

~~c. Integration with the document and case management systems; and~~

d.   Security and document availability.

4.   Each court implementing an electronic filing system shall electronically publish detailed procedures for use of its electronic filing system, that include at least the following elements:

5.

6.   Filing procedures, including whether a party who electronically files a document is relieved from any obligation to file additional copies with the court, as may be required by local rule, and hours of availability;

7.

8.   Practices for acknowledgment of receipt and exception processing; and

9.

10. Procedures for addressing transmission difficulties and obtaining assistance.

E.F.**Periodic Review**.   These requirements are designed to be flexible to allow for technical innovations and shall be reviewed annually biennially by the Commission on Technology and updated to adapt to technological changes or changes in e-filing strategy.

Adopted by Administrative Order 20012012-116XX effective December 7XX, 201101.